

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

DOCKET NO. 83-212-W - ORDER NO. 83-361

June 10, 1983

IN RE: Application of Warner Water Works, Inc. for)	
approval to operate a water system and filed a)	ORDER
schedule of rates and charges for its customers)	GRANTING
in Pinehurst Subdivision, Abbeville County,)	WAIVER
South Carolina.)	

This matter comes before the South Carolina Public Service Commission (hereinafter "the Commission") by way of a request filed on behalf of Warner Water Works, Inc. (hereinafter "the Applicant"), requesting the Commission to waive the requirements of R.103-712.(4)B(3), R.103-712(4)B(11) and R.103-712(4)B(4) of the Commission's Rules and Regulations (Vol. 26, S. C. Code of Laws (1976) and accept the Applicant's application for establishment of rates. More particularly, the Applicant is requesting the Commission to waive the following requirements:

1. Copy of engineering plans and specifications designed or certified to be in accord with good engineering practices by a professional engineer registered in South Carolina. (R.103-712.4(B)(3)
2. Statement by a professional engineer that the system was built and installed according to plans and specifications on file with the Commission and will furnish adequate service for the area to be served, R.103-712(4)B(11).
3. Construction permit from the Department of Health and Environmental Control approving plans and specifications. R.103-712.4(B)(4)

R.103-803 of the Commission's Rules and Regulations provides:

In any case where compliance with any of these rules and regulations (i.e. the Commission's Rules and Regulations as contained in Volume 26) produces unusual hardship or difficulty, the application of such rule or regulation may be waived by the Commission upon a finding by the Commission that such waiver is in the public interest.

The Commission, pursuant to R.103-802, supra, finds that in the instant matter, compliance with R.103-712(4)B(3), R.103-712(4)B(11), and R.103-712(4)B(4), would result in unusual hardship and difficulty to the Applicant in that the material required by the Rule is not in existence. To require strict compliance would not be in the public interest since it would result in a portion of the public not receiving service for an unreasonable length of time and would result in an unreasonable burden

June 10, 1983

Page Two

to the utility.

Therefore, the matters contained in the Application, the Application's supporting data, and matters contained in the Commission's files, would bring the Commission to the conclusion that the requirements set forth in R.103-712(4)B(3), R.103-712(4)B(11) and R.103-712(4)B(4), should be waived, as such waiver is in the public interest.

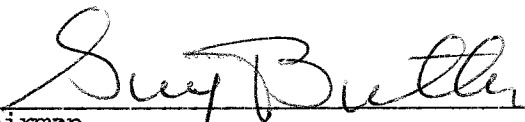
IT IS THEREFORE ORDERED:

1. That the request filed on behalf of Warner Water Works, Inc. for a waiver of the requirements set forth in R.103-712(4)B(3), R.103-712(4)B(11), and R.103-712(4)B(4), as contained in Volume 26 of the S. C. Code of Laws, 1976, be and hereby is, granted.

2. That the Application of Warner Water Systems, Inc. for establishment of water rates be accepted for filing.


3. That this Order remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:



Chairman

ATTEST:



Executive Director

(SEAL)